

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

IN THE MATTER OF:

CHAPTER 13 NO:

MATTHEW COLEMAN

19-14608-SDM

TRUSTEE'S OBJECTION TO APPLICATION TO COMPROMISE CONTROVERSY

COMES NOW, Todd S. Johns, Trustee, and files this his Objection to Debtor's Application to Compromise Controversy, and in support of same, would show unto the Court the following:

1. The Trustee has no objection to the Application in terms of the amount of the total settlement (\$28,000.00), nor to the payment of attorney's fees and reimbursable expenses listed therein.
2. The Application states that there are no associated medical claims, and the amount to the Trustee for Distribution is \$15,824.95; however, the Application is silent as to the proposed distribution of these residual funds.
3. The Trustee would show that: (a) the settlement attorney should be allowed to take the attorney fees and expenses directly from the settlement (after the Order on the separate fee application has been entered); and (b) turn over all residual funds from the settlement in the approximate amount of **\$15,824.95** to the Trustee, one-half of which (approximately **\$7,912.47**, including Trustee compensation and expense) should be distributed to the timely filed unsecured claims on a pro rata basis for a distribution of 100%, and of the remaining \$7,912.47, the Trustee should retain an amount sufficient to pay off the remaining secured balances (approximately \$1,470.00), and the remainder to be refunded to the Debtor, with the plan to be closed thereafter by the Trustee.
4. The Application should be denied in part, with the Trustee reserving the right to show other grounds at the hearing hereon.

WHEREFORE, PREMISES CONSIDERED, the Trustee prays that this Objection be received and filed, and at the hearing hereon an Order be entered denying the Debtor's Motion, and for such other, further, and general relief to which the Trustee and this bankrupt estate may be entitled.

DATED: November 13, 2023.

Respectfully submitted:

/S/ JEFFREY K. TYREE, MSB#9049
ATTORNEY FOR TODD S. JOHNS
CHAPTER 13 TRUSTEE
PO BOX 1326, BRANDON MS 39043-1326
601-825-7663; vardaman13ecf@gmail.com

CERTIFICATE OF SERVICE

I, Jeffrey K. Tyree, attorney for the Chapter 13 Trustee, do hereby certify that I have this day filed the foregoing with the clerk of this court using the CM/ECF system, and I further certify that I served a true and correct copy of same, either electronically or via United States Mail, postage prepaid, to the UNITED STATES TRUSTEE and the following:

MATTHEW COLEMAN
538 Old Jackson Rd. Apt. 524
MADISON, MS 39110

John F. Hughes
jhughes@hugheslawgrp.com

Thomas C. Rollins, Jr. (Morgan & Morgan)
trollins@therollinsfirm.com

Dated: November 13, 2023.

/S/ JEFFREY K. TYREE